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REMARKS

The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

35 U.S.C. §102(b) Rejection - Lin

The Examiner has rejected claims 61-62 and 70-71 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,190,981 issued to Lin et al. (hereinafter referred to as "Lin"). The Applicants respectfully submit that the present claims are allowable over Lin.

Claim 61 recites a method comprising:

*"forming insulating spacers adjacent to sidewalls of a gate;
forming extension regions after forming the insulating spacers by ion implantation using the insulating spacers as a mask;
removing the insulating spacers by etching; and
after removing the insulating spacers by etching, forming a source and a drain by ion implantation,
wherein the extension regions are shallower than the source and the drain, and
wherein the source and the drain are more heavily doped than the extension regions".*

Lin does not teach or suggest these limitations. In particular, Lin does not teach or suggest forming the source and the drain after removing the insulating spacers. As plainly seen in FIG. 3D of Lin, the source and the drain are formed before the offset spacers 308 are removed as shown in FIG. 3F. See e.g., column 4, lines 3-46.

Anticipation under 35 U.S.C. Section 102 requires every element of the claimed invention be identically shown in a single prior art reference. The Federal Circuit has indicated that the standard for measuring lack of novelty by anticipation is **strict identity**.

"For a prior art reference to anticipate in terms of 35 U.S.C. Section 102, every element of the claimed invention must be identically shown in a single reference." In Re Bond, 910 F.2d 831, 15 USPQ.2d 1566 (Fed. Cir. 1990).

Accordingly, claim 61 and its dependent claims are believed to be allowable over Lin. Independent claim 70 and its dependent claims are believed to be allowable over Lin for similar reasons.

35 U.S.C. §103(a) Rejection – Lin

The Examiner has rejected claims 68-69 under 35 U.S.C. §103(a) as being unpatentable over Lin. The Applicants respectfully submit that the present claims are allowable over Lin.

As discussed above, Lin does not teach or suggest forming the source and the drain after removing the insulating spacers. Accordingly, independent claim 61 is believed to be allowable over Lin. Claims 68-69 depend from claim 61 and are believed to be allowable for at least this reason.

35 U.S.C. §103(a) Rejection – Lin and Hsu

The Examiner has rejected claim 63 under 35 U.S.C. §103(a) as being unpatentable over Lin in view of U.S. Patent No. 4,927,777 issued to Hsu et al. (hereinafter "Hsu").

As discussed above, Lin does not teach or suggest forming the source and the drain after removing the insulating spacers. Similarly, Hsu does not teach or suggest forming the source and the drain after removing the insulating spacers. Accordingly, without admitting the appropriateness of combining Lin and Hsu, independent claims 61

and 70, and their respective dependent claims, are believed to be allowable over Lin and Hsu.

35 U.S.C. §103(a) Rejection – Lin and Wolf

The Examiner has rejected claims 64 and 72 under 35 U.S.C. §103(a) as being unpatentable over Lin in view of Wolf et al., "Silicon Processing for the VLSI Era Volume 1: Process Technology (hereinafter "Wolf").

As discussed above, Lin does not teach or suggest forming the source and the drain after removing the insulating spacers. Similarly, Wolf does not teach or suggest forming the source and the drain after removing the insulating spacers. Accordingly, without admitting the appropriateness of combining Lin and Wolf, independent claims 61 and 70, and their respective dependent claims, are believed to be allowable over Lin and Wolf.

35 U.S.C. §103(a) Rejection – Lin and Shields

The Examiner has rejected claims 65-73 under 35 U.S.C. §103(a) as being unpatentable over Lin in view of U.S. Patent No. 6,350,696 issued to Shields et al. (hereinafter "Shields").

As discussed above, Lin does not teach or suggest forming the source and the drain after removing the insulating spacers. Similarly, Shields does not teach or suggest forming the source and the drain after removing the insulating spacers. Accordingly, without admitting the appropriateness of combining Lin and Shields, independent claims 61 and 70, and their respective dependent claims, are believed to be allowable over Lin and Shields.

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In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

Request For An Extension Of Time

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Brent E. Vecchia
Brent E. Vecchia
Reg. No. 48,011

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1030

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